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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES,)
a California corporation,)

Case No. 08-CV-0138 WQH POR

Plaintiff,)

POINTS AND AUTHORITIES
IN SUPPORT OF MOTION FOR
LEAVE TO FILE AMENDED
ANSWER ON BEHALF OF
DEFENDANTS COLO 6, LLC AND
NAVROZ HAJI

vs.)

TOUCH ASIA OUTSOURCING)
SOLUTIONS, INC., et al.,)

Defendants.)

William Q. Hayes, District Judge
Courtroom 4, Fourth Floor

Hearing Date: May 27, 2008
Hearing Time: 11:00 a.m.

NO ORAL ARGUMENT REQUESTED

I

FACTS

On February 21, 2008, Colo 6, LLC filed its Answer in this action, jointly with defendant Navroz Haji, an individual. The Answer was signed by a managing member of the company and by Mr. Haji.

The plaintiff has filed ex parte motions (see Docket Nos. 29, 35 and 37) to strike that Answer on grounds that the managing member of Colo 6, LLC cannot sign a pleading on behalf of the entity.

On April 16, 2008, the undersigned counsel for Colo 6, LLC entered an appearance to represent defendants Colo 6, LLC and Mr. Haji and to address the issue raised by the plaintiff. The undersigned has prepared an Amended Answer, attached to the motion as Exhibit A. The Amended Answer would be signed by the undersigned, an attorney duly admitted to practice in the United States District Court for the Southern District of California.

II

ARGUMENT

Rule 15 permits amendment of pleadings with leave of court. Leave shall be freely given when justice so requires. *Id.*

This amendment is requested to remedy the filing of the Answer by the managing member, so that Colo 6, LLC is properly represented before this Court. At this early stage of the case, there is no prejudice to the plaintiff or any other party. It is therefore respectfully requested that the motion be granted.

DATED: April 17, 2008

Mark Wray
MARK WRAY
Attorney for Defendants COLO 6, LLC and
NAVROZ HAJI

CERTIFICATE OF SERVICE

The undersigned employee of the Law Offices of Mark Wray certifies pursuant to FRCivP 5 that a true copy of the foregoing document was sealed in an envelope with first class U.S. Postage prepaid thereon and deposited in the U.S. Mail at Reno, Nevada on April 17, 2008 addressed to the following:

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